

ATTORNEY DOCKET NO. Travel/SCH

Claims 1-5 stand rejected under 35 U.S.C. 103(e) as allegedly being unpatentable over U.S. Patent No. 5,948,040 DeLorme et al, in view of Official Notice. This contention, however, is respectfully traversed, and it is respectfully suggested that the rejection uses hindsight in attempting to render obvious the claims.

Specifically, the present claim 2 defines a system that allows the user at a client computer, to GRAPHICALLY select a starting area and ending area for travel on a map, and determine travel information which about the starting and ending area using a server. This describes a novel way of graphically determining the beginning and end point of the trip, and doing so in a way that enables significant advantages. Moreover, it is respectfully suggested that nothing in the cited prior art is in any way suggestive of this same kind of operation.

Admittedly, DeLorme teaches a computer-based travel system. This system uses a cursor and actuator. However, this system does not use the same system as presently claimed. The rejection states, apparently based on Official Notice, that it would have been obvious to use a cursor over the starting and ending places of the travel route. However, it is respectfully suggested that this rejection is based on hindsight, not on the teachings of the prior art. While it is known to use a mouse and graphical user interface for selecting various information from a web site, the presently claimed operations are NOT conventionally done in this way. Nowhere does any of the prior art teach the highly graphical system which is now claimed, and specifically does not teach that the beginning and end point for travel can be selected from a map.

ATTORNEY DOCKET NO. Travel/SCH

The Official Notice apparently simply notes that a generalized graphical user interface could be used for a travel planning website. However, nowhere does any of the prior art nor the Official Notice teach or suggest graphically, or otherwise selecting the beginning and end points for planning the trip from a graphical map. It is respectfully suggested that the rejection is based on hindsight, not on the teachings of the prior art. In fact, the prior art does not show graphically selecting any kind of beginning and ending points from a graphical map to define a travel route between those beginning and ending points.

This difference is much more than simply a graphical user interface with a cursor and mouse. The present system defines selecting beginning and ending points graphically from a map to form a route between those beginning and ending points; the prior art does not show or teach doing this. The teaching to suggest the selecting beginning and ending points in this way came from the present specification, not from the prior art. Therefore, the allegation that these claims are unpatentable is respectfully suggested to be based on hindsight.

For all of these reasons, claim 1 should be allowable along with the claims which depend therefrom.

Claim 2 specifies that the starting area or ending area can be changed in size. This enables a significant advantage, noted below, and is not taught or suggested by the cited prior art.

The rejection states that this is obvious since DeLorme teaches zooming. However, it is respectfully suggested that zooming is very different than changing the size of the starting and ending points as claimed. This change of the size of the starting

ATTORNEY DOCKET NO. Travel/SCH

and ending points, enables system to search for different starting and ending points. For example, fares to different airports may be very different. A plane fare to Baltimore, for example, may be much cheaper than the similar plane fare to Washington National airport. In changing in size of the end area to a larger size, e.g. an area that is large enough to encompass Baltimore airport, it allows the system to search for fares to many different airports.

Claim 2 specifies that the information received from the server "includes options for different locations within said changed in size area". DeLorme's teaching of zooming suggests nothing about this, and therefore claim 2 should be even further allowable. The other dependent claims should be allowable for similar reasons.

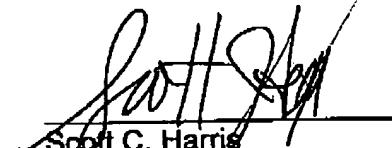
Therefore, and for all of these reasons, it is respectfully suggested that all of the claims should be in condition for allowance.

A formal notice of allowance is hence respectfully requested.

ATTORNEY DOCKET NO. Travel/SCH

No fees are believed necessary. Please charge any fees due in connection with
this response to Deposit Account No. 50-1387.

Respectfully submitted,



Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (858) 678-5082

Attachments: Figures with amendments